

Exhibit F

Subject: RE: Implicit v. Sophos - Discovery Requests
Date: Tuesday, August 14, 2018 at 11:47:31 AM Central Daylight Time
From: Shiferman, Lana
To: Deb Coleman, Kline, Douglas J, DG-Implicit vs. Sophos, Jennifer Parker Ainsworth, Matthew T Milam, Frederickson III, Robert
CC: !Lists - Implicit Service (Implicit.Service@singerbea.com)
Attachments: image002.png, image003.jpg

Deb,

Sophos is in receipt of your request for jurisdictional discovery served late Friday afternoon, which was received only three business days prior to the close of briefing and almost two months after Sophos filed its motion to dismiss Implicit's complaint on June 15, 2018. Prior to your August 10 email, Implicit served no discovery requests related to jurisdictional issues. As we set forth in our motion, Implicit is not automatically entitled to take jurisdictional discovery and that issue is before the Court as part of the pending motion. We also fail to understand how Implicit expects Sophos to meaningfully respond to those requests before briefing closes. Given the timing of Implicit's request, none of the information could be used in the briefs submitted to the Court as briefing on the motion is essentially complete. We further note that Implicit's request was made after Sophos filed its reply brief. Given the fact that the motion to dismiss is pending in parallel to the substantive case, any delay caused by Implicit's belated request is prejudicial to Sophos.

Nevertheless, we have begun investigating your requests and are willing to meet and confer regarding a reasonable scope of jurisdictional discovery that is proportional to the needs of the case. As drafted, Implicit's discovery requests are overly board and unduly burdensome as they cover issues and parties that are not relevant to the disputed jurisdictional issues or any other issues in this case. By agreeing to meet and confer regarding the scope of jurisdictional discovery, Sophos in no way waives any of its rights to oppose any additional briefing on the motion to dismiss.

With respect to the meet and confer, given the preliminary nature of this meet and confer, we do not believe that it is necessary for lead counsel participate in a meet and confer at this stage. We are available for a meet and confer on Thursday, August 16 between 1:00 pm ET and 3:00 pm ET.

Regards,
Lana

Lana S. Shiferman



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From: Deb Coleman [mailto:dcoleman@bdavisfirm.com]
Sent: Friday, August 10, 2018 4:03 PM
To: Kline, Douglas J; DG-Implicit vs. Sophos; Jennifer Parker Ainsworth; Shiferman, Lana; Matthew T Milam;

Frederickson III, Robert

Cc: !Lists - Implicit Service (Implicit.Service@singerbea.com)

Subject: Implicit v. Sophos - Discovery Requests

Counsel, consistent with Sophos's discovery obligations in this case, Implicit hereby requests that Sophos produce the following documents as soon as practicable:

- Any documents regarding the use of and payments relating to the Dallas training facility listed on Sophos's website (<https://www.sophos.com/en-us/about-us/training/locations/us-dallas.aspx>), including any contracts and lease agreements between any Sophos entity and MicroTek.
- Any agreements between Sophos, Inc. and Sophos Ltd., specifically including the intercompany agreement referenced in fn. 2 of the Reply Brief (Dkt. 56) and any agreements regarding the XG Firewall products.
- Any agreements between any Sophos entity and any entity that makes, sells, offers to sell, or imports the XG Firewall products.
- Any agreements between any Sophos entity and any partners located in the State of Texas, including the Eastern District of Texas.
- Documents sufficient to identify all employees or independent contractors of any Sophos entity who office in the State of Texas, including the Eastern District of Texas.
- Any documents regarding the use of and payment of office space for any employees or independent contractors of any Sophos entity who office in the State of Texas, including the Eastern District of Texas.

Implicit also requests that Sophos produce a witness in the United States for a deposition on jurisdictional and venue-related topics. (We are willing to work with you on the exact scope of these topics prior to issuing a Rule 30(b)(6) notice.)

Please confirm by Tuesday, August 14, at 12pm Central whether Sophos agrees to produce these documents and witness, as well as a date by which Sophos expects these productions to occur (subject to finalization of the 30(b)(6) topics). If Sophos does not agree to any of these requests, please provide some times next week when Sophos's lead and local counsel are available to meet and confer regarding these discovery requests.

Best regards,

deb

Deb Coleman

Of Counsel



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